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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

25 FEB 1993

THE SECRETARY - ROOM 222  
IN REPLY REFER TO:  
7330-7/1700A3

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MAR 5 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Honorable Dave Durenberger  
United States Senator  
1020 Plymouth Building  
12 South 6th Street  
Minneapolis, Minnesota 55402

Dear Senator Durenberger:

This is in reply to your letter of February 8, 1993, in which you inquired on behalf of your constituent, Ted Gilbert, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Mr. Gilbert is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

26 copies

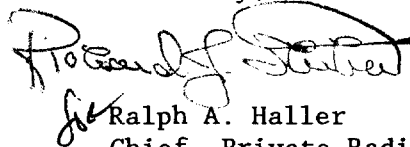
Honorable Dave Durenberger

2.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituent's concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituent to file formal comments on all aspects of the proposals.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ralph A. Haller", is written over a circular stamp. The signature is fluid and cursive.

Ralph A. Haller  
Chief, Private Radio Bureau

Enclosures

cc:  
Chief, PRBureau  
Chief, LM&M Divison  
Docket Files, Room 222  
LP Branch File (Pink)

CNTL NO - 9300565

DFertig/RShiben:/gb/lm:PR

# Congressional

*DUE OBC: 2-23-93*

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,  
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM  
02/12/93

## LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300565	02/12/93	02/08/93	02/25/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	David Durenberger	BC

CONSTITUENT'S NAME	SUBJECT
Ted Gilbert	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRE/ann 2-16-93			
DATE	DATE	DATE	DATE
02/12/93			

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REMARKS: Respond to the attention of Steven Jahn in the  
Minneapolis, MN office.

# United States Senate

DAVE DURENBERGER

PLB  
92-235  
565

February 8, 1993

Director  
U.S. Federal Communications Commissions  
Congressional Liaison Office  
Washington, DC 20554-0000

Dear Director:

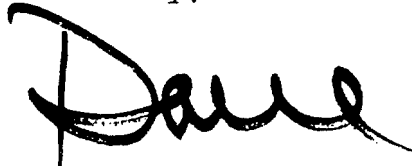
Attached is a letter from one of my constituents concerning a matter in which I believe you can be of assistance.

I would appreciate your looking into this matter for me. In responding to me, please return the attached correspondence along with your reply in duplicate to the attention of my assistant:

Steven Jahn  
1020 Plymouth Building  
12 South 6th Street  
Minneapolis, MN 55402

Thank you for your cooperation and assistance.

Sincerely,

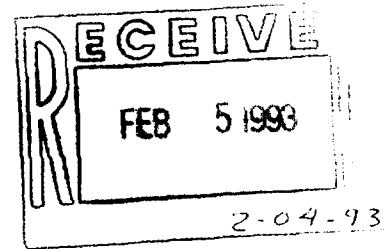


Dave Durenberger  
United States Senator

DD/sjj  
Enclosure

RECEIVED  
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PACIFIC

Ted Gilbert  
6182 Lookout Trail North  
Stillwater, Minnesota 55082



Dear Senator Durenberger,

I build and fly radio control airplanes and have done so for about six years. I belong to the Academy of Modeling Aeronautics, a national organization which supplies insurance, safety rules, and help for people interested in the sport. I am also on the board of the Sedbaster R.C. Flying Club, a local club of about 100 members which range in age from 12 to 70. We teach people to fly and promote our hobby. It provides a learning experience for the younger members and an enjoyable pass time for our retirees and prospective retirees like myself. I had hoped to continue this after retirement.

In 1991 the FCC. placed electronic pagers between the frequencies we use to operate our aircraft. We were forced to have the radios narrow banded to avoid interference and possible loss of control. This cost \$40. to \$50 per radio and was mandatory for safety.

Now they are proposing the use of the frequencies between the pagers and our equipment. This would make our present radios obsolete and the manufacturers say the price will double on new equipment. With safety being our clubs number one concern, we cannot continue our hobby as we are now and the new regulations would price the young and retired out of a wonderful hobby.

I am attaching a copy of a letter sent to us by our club, to send to you expressing our concern. Please read it and help us if you can. We feel there are other frequencies which can be used that wouldn't cause as much of an impact.

Thank You

Yours Truly,

Ted E. Gilbert

The Honorable Dave Durenberger

Date: 2-04-93

12 S 6<sup>th</sup> St.  
Minneapolis Minnesota

Dear, Senator Durenberger

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72 - 76 MHz band. This band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted.

When we fly our model airplanes under radio control, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

Please understand that many model airplanes have wingspans up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of operators participate. We need the use of our full compliment of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me to continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Sincerely,

